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EXAMINER

CHOI, PETER H

ART UNIT

PAPER NUMBER

3623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/722,408	Applicant(s) SUBRAMANIAM, SUBHASHINI	
	Examiner PETER CHOI	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-16, 18-26 and 28-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-16, 18-26 and 28-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. The following is a **FINAL** Office Action in response to the communication received on June 5, 2008. Claims 1-6, 8-16, 18-26 and 28-36 are now pending in this application.

Response to Amendment

2. The amendment filed June 5, 2008 cancelled claims 7, 17 and 27, and amended claims 1, 2, 8, 11, 12, 18, 21, 22, 28, 31, and 32.

Response to Arguments

3. Applicant's arguments filed June 5, 2008 have been fully considered but they are not persuasive.

Applicant argues that Chatterjee does not teach or reasonably suggest synchronization/consolidation of data between at least two data sources.

The Examiner respectfully disagrees. In response to applicant's arguments, the recitation that the workflow is "for synchronization/consolidation of data between at least two data sources" has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead,

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the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Further, In response to applicant's argument that the work flow is executed in a meta directory server, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

Applicant argues that Chatterjee does not teach or contemplate a custom task separate from built-in tasks, that are executed together to implement a work flow.

The Examiner respectfully disagrees. Chatterjee et al. teaches that a workflow comprises steps, rules, and operations (**col. 3, lines 60-62, Workflow builder 214 is a subsystem that generates links or "maps" to define the steps, rules, and operations of a workflow**) and may include built-in (**col. 6, lines 36-37, choosing from a list of previously-defined operations; col.5, lines 51-62, retrieving previously defined operations using the Open, Import, Export, and Define options of the workflow menu**) and custom tasks (**col.5, lines 51-62, defining new workflows using the New option of the workflow menu; col. 3, lines 60-62, col. 3, line 66-col. 4, line 2, col. 5, lines 58-59, col. 6, lines 9-26, 54-56; Creating or**

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defining a new workflow, or the steps, rules and operations of a workflow, defining steps for a workflow, adding insertion points to a [preexisting] workflow diagram); thus, in order to implement a work flow, a plurality of steps, rules, and operations, including built-in and custom tasks, rules and operations, must be executed together. Therefore, Chatterjee et al. does indeed teach executing a plurality of built-in and custom tasks together to implement a workflow

Applicant argues that Chatterjee does not address internal logic of any operation.

The Examiner respectfully disagrees. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., internal logic of operations) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Official Notice

In the previous Office Action mailed March 6, 2008, notice was taken by the Examiner that certain subject matter is old and well known in the art. Per MPEP 2144.03(c), these statements are taken as admitted prior art because no traversal of this statement was made in the subsequent response. Specifically, it has been taken as prior art that:

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- It is old and well known in the workflow management art to be able to indicate a task to be executed either synchronously or asynchronously.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 2, 12, 22 and 32 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The newly amended limitation of “another program logic constituting said plurality of built-in tasks cannot be edited by said user” is not described in the specification and constitutes new matter.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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7. Claims 1, 3-4, 8-11, 13-14, 18-21, 23-24, 28-31 and 33-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Chatterjee et al. (US Patent # 5,774,661).

As per claim 1, Chatterjee et al. discloses a method of enabling a user to extend a work flow for synchronization/consolidation of data between at least two data sources, said work flow for execution in a meta directory server, said method comprising:

providing a plurality of built-in tasks which together when executed implement said work flow (**col. 3, lines 60-62, Workflow builder 214 is a subsystem that generates links or “maps” to define the steps, rules, and operations of a workflow**) {**execution of the workflow requires implementing a combination of rules, steps and operations**}, at least one of said plurality of built-in tasks containing an extension point (**Figure 3 depicts a workflow built by a user and comprising a plurality of tasks; col. 5, lines 59-61; col. 6, lines 35-37; col. 7, lines 11-13 and 17-22; col. 13, lines 60-66; Default, built-in, or previously-defined tasks, processes, and operations are available for creating workflows. Existing workflows may be modified to create new ones. Decision point objects, or extension points, provide branching from one workflow to another.**);

receiving from said user data indicating a custom task associated with said extension point wherein said custom task is separate from said plurality of built-in tasks (**col.5, lines 51-62, Workflow menu is used to set up , define, and verify new workflows. The choices in the workflow menu are New, Open, Import, Export, Define, Verify.. New is used to create a new workflow or operation, Open and**

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Close are used to control access to existing workflows, Import and Export allow a user to store, remove, or add workflows; col. 6, lines 36-37, users are allowed to choose an operation for a step from a list of previously-defined operations) {built-in tasks are kept in a separate list, retrieving built-in tasks is a separate process than defining new tasks} and contains a program logic specified by said user (col. 3, lines 60-62, col. 3, line 66-col. 4, line 2, col. 5, lines 58-59, col. 6, lines 9-26, 54-56; Creating or defining a new workflow, or the steps, rules and operations of a workflow, defining steps for a workflow, adding insertion points to a [preexisting] workflow diagram); and

executing said custom task when said extension point is reached during execution of said one of said plurality of built-in tasks **(col. 7, line 62-col. 8, line 14; A decision points helps to execute conditional branching for a workflow.)**.

As per claim 3, Chatterjee et al. discloses wherein said custom task contains an another extension point, said method further comprises receiving from said user data indicating an another custom task to be executed when said another extension point is reached during execution of said custom task **(col. 8, lines 50-67; Figures 3 and 5; A workflow can have more than one decision points for conditional branching.)**.

As per claim 4, Chatterjee et al. discloses further comprising:

determining a corresponding set of extension points available in each of said plurality of built-in tasks, displaying each of said set of extension points associated with

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a corresponding one of said plurality of built-in tasks, displaying said custom task and said another custom task and enabling said user to specify said custom task associated with said extension point, and said another custom task associated with said another extension point **(col. 8, lines 15-41; Figures 3-4; A workflow builder display allows a user to customize a workflow by inserting decision points, where the decision points come from a set of predefined conditional statements.)**.

As per claim 8, Chatterjee et al. discloses wherein at least one of said two data sources comprises a relational database **(item 318 in Figure 3)**.

As per claim 9, Chatterjee et al. discloses further comprising providing an utility to indicate that a specific one of said extension points is reached **(col. 8, line 50-col. 9, line 13; Figure 5; Conditional statements provide a check for additional conditions, clauses or other objects.)**.

As per claim 10, Chatterjee et al. discloses further comprising providing an utility in each of said plurality of built-in tasks and said custom task, wherein said utility indicates extension points available in a corresponding task **(col. 8, line 50-col. 9, line 13; Figure 5; Conditional statements provide a check for additional conditions, clauses or other objects.)**.

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Claims 11, 13-14, 18-21, 23-24, 28-31 and 33-34 recite subject matter similar to that already rejected above. Therefore, claims 11, 13-14, 18-21, 23-24, 28-31 and 33-34 are rejected on the same basis as claims 1, 3-4, and 8-10 above.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 5-6, 12, 15-16, 22, 25-26, 32 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chatterjee et al. (US Patent # 5,774,661) in view of Bianco (US Patent #6,345,359)

As per claim 2, Chatterjee et al. does not expressly disclose wherein said plurality of built-in tasks are provided by a designer implementing said meta directory server, wherein said designer is different from said user. However, Examiner respectfully submits that the title of the user providing the tasks (i.e., designer versus non-designer) is considered non-functional descriptive data. Accordingly, these differences are only found in the non-functional descriptive material and are not functionally involved in the steps recited nor do they alter the recited structural elements. The recited method steps would be performed the same regardless of the specific data. Further, the structural elements remain the same regardless of the

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specific data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994); *MPEP*, 2106.

Chatterjee et al. also allows a user to assign security protection to a workflow, including a password, a security level, and encryption (**col. 5, line 66 – col. 6, line 1**), but does not expressly disclose that “another program logic constituting said plurality of built-in tasks cannot be edited by said user”.

However, Bianco teaches the step of protecting embedded software using a plurality of encryption methods to prevent modification, replacement, disassembly or understanding by unauthorized parties (**col. 2, lines 22-29, col. 4, lines 37-39, col. 6, lines 31-32**).

Both Chatterjee et al. and Bianco use encryption methods to provide protection to programmable logic/software; thus, they are analogous references in the programming/software arts. Therefore, it would have been obvious to one of ordinary skill in the art to modify the teachings of Chatterjee et al. to include the step of preventing embedded software from being edited by unauthorized users, as taught by Bianco, because doing so enhances the ability of Chatterjee et al. to provide security protection to workflow using encryption methods [col. 5, line 66 – col. 6, line 1].

As per claims 5-6, Chatterjee et al. does not expressly disclose further comprising enabling said user to specify that said custom task is to be executed synchronously, wherein said custom task is executed in a synchronous manner; enabling said user to specify that said custom task is to be executed asynchronously, wherein said custom task is executed in a asynchronous manner; or wherein said operation comprises either a synchronization operation or a consolidation operation such that said plurality of built-in tasks implement either said synchronization operation or said consolidation operation. However, Examiner takes Official Notice that it is old and well known in the workflow management art to be able to indicate a task to be executed either synchronously or asynchronously. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Chatterjee et al. to enable a user to specify a task to be executed synchronously or asynchronously as doing so provides the user with more control over when and how the task is executed, thereby enhancing the workflow design features offered in the workflow builder of Chatterjee et al.

Claims 12, 15-17, 22, 25-27, 32 and 35-36 recite subject matter similar to that already rejected above. Therefore, claims 12, 15-17, 22, 25-27, 32 and 35-36 are rejected on the same basis as claims 2, 5-7 above.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Leuing (US Patent #6,769,114) teaches preventing software modifications from invalidating previously passed integration tests.

LeVine et al. (US Patent #7,237,123) teaches preventing unauthorized use of digital content using encryption keys.

Lordemann et al. (US 2002/0032873) teaches protecting objects distributed over a network by encrypting objects.

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PETER CHOI whose telephone number is (571)272-6971. The examiner can normally be reached on M-F 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

September 10, 2008

/P. C./

Examiner, Art Unit 3623

/Jonathan G. Sterrett/

Primary Examiner, Art Unit 3623